IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.75 OF 2006

Satyashodh and Others ..Petitioners.
Vs.
The State of Maharashtra & Others ..Respondents.
....
Mr. U.P. Warunjikar for the Petitioners.
Mr. N.P. Deshpande, AGP for Respondent Nos.1 and 2.
Ms. Kanchan Pamnani for Respondent No.5.

WITH
PUBLIC INTEREST LITIGATION NO.129 OF 2003

The National Federation of Blind ..Petitioner.
Vs.
State of Maharashtra & Others ..Respondents.
...
Mr. U.P Warunjikar for the Petitioner.
Mr. N.P. Deshpande, AGP for Respondent Nos.1 and 8.
Mr. R.S. Apte for Respondent No.3.

WITH
PUBLIC INTEREST LITIGATION NO.139 OF 2006

Maharashtra Rajya Apang Karmachari ..Petitioner.
Vs.
State of Maharashtra ..Respondent.
...
Mr. U.P. Warunjikar for the Petitioner.
Mr. N.P. Deshpande, AGP for the State.

WITH
PUBLIC INTEREST LITIGATION NO.70 OF 2002

ILS Legal Aid Center & Ors. ..Petitioners.
Vs.
State of Maharashtra & Ors. ..Respondents.
...
Mr. N.P. Deshpande, AGP for the State.

CORAM: **SWATANTER KUMAR, C.J. &**
**DR. D.Y. CHANDRACHUD, J.**

2nd August, 2007.

P.C. :

1. Today further extension is prayed on behalf of the State for complying with the previous orders of the Court. Counsel appearing for the Petitioners vehemently opposes an adjournment on the ground that the adjournments are being sought in a routine manner and without any specified object. It is pointed out that in connected Writ Petitions (Writ Petition 129 of 2003 and Writ Petition 139 of 2006) even six months time was granted to the State, but neither any steps have been taken nor the problem of backlog has been resolved. It is also contended that no policy has been framed by the State Government and declared to the public as yet in relation to – (a) partial/ full disability of an employee; (b) what is the policy of the State in regard to statutory reservation; (c) what steps are being taken by the State to clear the backlog under this disabled category and (d) what guidelines have been framed by the State and circulated to various departments/ organizations directly controlled by the State.

2. Counsel appearing for Respondent No.5 (in PIL 75 of 2006) also contended that despite certain issues having been settled during the course of various meetings, still the Government is not amending its earlier resolutions and is not giving effect to the intent of the law particularly in relation to partial or full visually impaired category. One of such meetings is stated to have been held on 17th May, 2007. Keeping in view this argument, we also direct the State to reexamine the Government Resolutions issued in this regard and take a final policy decision so as to prevent further delay in the matter.

3. Counsel appearing for the State further submitted that an affidavit has been prepared and in fact a copy thereof has been given to Counsel appearing for the Petitioners. Counsel appearing for the Petitioners argued that this affidavit is a mere copy of various affidavits which have been filed till date and nothing constructive has been done by the State since 5th July, 2007 when this Court had passed a specific order.

4. After going through the record, we find there is merit in

the contention raised on behalf of the Petitioners. We defer taking of any stringent action against the authorities of the State in accordance with law, at this stage. While granting them a last opportunity we make it clear that if effective steps are not taken and a clear affidavit covering all the afore stated issues is not filed within two weeks from today, the concerned Secretary of the Government shall remain present in Court with complete records on the next date.

5. We make it further clear that the previous orders passed by this Court including the orders dated 5th April, 2007 and 5th July, 2007 are an integral part of this order. The Secretary of the concerned Ministry shall personally be responsible for compliance of this order.

Let a copy of the order under the signature of the Court Associate be furnished to Counsel appearing for the State today itself.

Stand over to 16th August, 2007.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.